

# **BOARD OF DESIGN REVIEW MINUTES**

**June 28, 2001**

**CALL TO ORDER:** Chairman Walter Lemon III called the meeting to order at 6:41 p.m. in the Beaverton City Library at 12375 SW 5<sup>th</sup> Street.

**ROLL CALL:** Present were Chairman Walter Lemon III; Board Members Hal Beighley, Monty Edberg and Ashetra Prentice. Board Members Anissa Crane, Ronald Nardoza and Stewart Straus were excused.

Senior Planner John Osterberg, Associate Planner Scott Whyte, and Recording Secretary Sandra Pearson represented staff.

## **VISITORS:**

Chairman Lemon read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

## **OLD BUSINESS:**

### **CONTINUANCES:**

Chairman Lemon opened the Public Hearing and read the format of the meeting. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda.

Observing that she has had indirect contact with *WRG Incorporated* on a development near her home, Ms. Prentice stated that this would not affect her decisions on the SW 155<sup>th</sup> Avenue Pedestrian Improvements applications.

#### **A. BDR 2001-0025 – MAGNOLIA GREEN OFFICE BUILDING**

(Continued from June 14, 2001)

This proposal is for a new office building of approximately 9,578 square feet in size, with associated parking and landscaping. The development proposal

is located west of Millikan Boulevard and north of Tualatin Valley Highway; Washington County Assessor's Map 1S1-08CD, Tax Lot 100. The affected parcel is zoned Station Area-Medium Density Residential (SA-MDR) and is approximately 0.88 of an acre in size.

Observing that this application has never been heard although it is listed as a continuance, Associate Planner Scott Whyte presented the Staff Report and described the proposal for a new office building. He described the site, observing that this area is identified as a significant natural resource and is also included in the 100-year floodplain. He referred to telephone calls received from the public questioning why the application was not reviewed by the Five Oaks NAC, noting that there had been a review by the West Beaverton NAC. He discussed both the building design and the landscaping and lighting plans. Concluding, he recommended approval, under certain Conditions of Approval, and offered to respond to any questions or comments.

**APPLICANT:**

**FRED GAST**, representing *Polygon Northwest*, provided information regarding the proposed Magnolia Green Office Building, emphasizing that this proposal would provide for no retail, no restaurants and no drive-through services, and that this would be simply office use, similar to the medical clinic across Millikan Boulevard. Observing that the applicant had committed to meet or exceed Title 3 requirements, observing that additional provisions for water quality had been provided for. He discussed the landscaping plans, noting that these plans are compatible with this type of development. Concluding, he offered to respond to any questions or comments.

**MIKE MILLER**, representing *MGH Design*, on behalf of the applicant, discussed the design of this triangular-shaped site and described the efforts of the applicant to address the constraints of this property that is surrounded on two sides by a stream and on the third side by a wetland. Observing that there is limited pedestrian access to the creek, he discussed the rationale of the site layout for what he referred to as a Class "A" office building with two floors and an elevator. Noting that the building would be 9,578 square feet, he pointed out that the building would be located over 100 feet from the creek and meets all Title 3 standards. He mentioned that the proposal includes 26 parking spaces on site, as well as eight parallel parking spaces along the street, and also provides for a passenger drop-off area near the front door of the building. He discussed the proposed landscaping, including retaining walls and planters, noting that the landscape would be located in two separate landscape zones and listing the individual types of plantings that have been proposed.

Concluding, Mr. Gast discussed and provided illustrations of the architectural features and color scheme for the proposal and offered to respond to questions or comments.

Chairman Lemon discussed the elevations of the mechanical and equipment screenings, observing that perforated metal is indicated in one area, while solid is indicated in another.

Mr. Gast explained that in some areas, the perforated metal actually appears solid.

**JOE PERCIVAL**, representing *Percival and Shapiro*, on behalf of the applicant, discussed the proposed landscaping, which includes a mixture of Evergreen trees and deciduous trees, such as Crabapples and Hawthornes, which would attract the birds and bees. He mentioned that the mixture of Pondorosa Pine and Western Red Cedar would grow quite large, unless there is a major beaver infestation.

**PUBLIC TESTIMONY:**

**JEROME MAGILL** provided copies of his intended testimony and expressed his concern with the glass windows on the proposed office building and the potential danger to the bird population in the adjacent Nature Park. Observing that the birds often see the glass as open space, he pointed out that they often fly at full speed into the glass. Emphasizing that the applicant has indicated that the design of the proposed development was created to minimize the impact to all resources on adjoining property, he pointed out that the bird population is one of these resources and that measures must be taken to protect this extraordinary asset to the community.

Observing that the Board does not have copies of the floor plan, Chairman Lemon advised Mr. Magill that the applicant would address his concerns and their plans to mitigate this situation.

**JACK FRANKLIN** emphasized that while he is not opposing the proposed office building, he has serious concerns with the storm water runoff in the area.

**APPLICANT REBUTTAL:**

Mr. Gast responded to issues that had been raised by the public, including the concerns expressed by Mr. Magill regarding the windows. He pointed out that the applicant intends to provide internal walls that should reduce, if not eliminate, this problem, adding that the windows are reflective, rather than clear. He addressed Mr. Franklin's concern with the storm water issues, and described the catch basin system proposed by the applicant for the management of this storm water runoff that could be potentially created by the development.

Mr. Beighley requested a specific illustration of the plans and where the catch basins would be located.

**RANDY LYTLE**, representing *Alpha Engineering*, provided an illustration indicating the location of the catch basins and described the operation of the facilities.

On question, Mr. Whyte indicated that he had no further comments at this time.

The public portion of the Public Hearing was closed.

Mr. Beighley **MOVED** and Mr. Edberg **SECONDED** a motion to approve BDR 2001-0025 – Magnolia Green Office Building Type 3 Design Review, based upon the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings and conclusions found in the Staff Report dated February 1, 2001, including Conditions of Approval Nos. 1 – 19, including additional Conditions of Approval, as follows:

20. Screening around mechanical vents will be louvered, and screening details are to be submitted to staff for approval at the time of the Building Permit; and
21. A filter system is to be installed in the catch basins, to be included as part of the Storm Water Management Plan, as approved for the Magnolia Green Subdivision.

The question was called and the motion **CARRIED**, unanimously.

## **NEW BUSINESS:**

### **PUBLIC HEARINGS:**

#### **A. SW 155<sup>TH</sup> AVENUE PEDESTRIAN IMPROVEMENT/NORA ROAD TO WEIR ROAD**

The following land use applications have been submitted for the pedestrian improvements along SW 155<sup>th</sup> Avenue, between Weir Road and Nora Road. The proposal includes the construction of soft bark chip walkways on both sides of the street, the construction of retaining walls, and the installation of eight streetlights. The development proposal is located approximately 2,000 feet along SW 155<sup>th</sup> Avenue between SW Nora Road and SW Weir Road; Washington County Assessor's Map 1S1-29DB, 1S1-29CA, 1S1-29CD and 1S1-29DC, within the public right-of-way. Properties with frontage along SW 155<sup>th</sup> Avenue are zoned Urban Standard Density (R-5) and Urban Medium Density (R-2).

#### **1. BDR 2001-0054 – TYPE 3 DESIGN REVIEW**

This request for Design Review approval provides for proposed pedestrian improvements.

2. **VAR 2001-0006 – DESIGN VARIANCE**

This request for Design Variance approval is to vary from the City standards regarding under grounding private utilities. Pursuant to Section 40.10.15.2.C.1.h of the Development Code, private utilities are to be placed underground. With this request for a variance, existing private utilities, specifically power and telephone lines, would remain above ground.

Mr. Whyte presented the Staff Reports related to the pedestrian pathway on SW 155<sup>th</sup> Avenue. He asked if the Board would like to consider both applications under one Public Hearing, and the Board elected to consider both applications together. He described the Design Review request for some temporary pedestrian improvements along SW 155<sup>th</sup> Avenue, between SW Weir Road and SW Nora Road, providing for the construction of soft bark chip walkways on both sides of the street, construction of a retaining wall to contain the bark chips and the installation of eight street lights. He mentioned that the proposed pathway improvements would require the removal of several trees, and discussed the required standard for the under grounding of utilities, adding that with no condition for overhead utilities, those in existence would remain in their present locations. Concluding, he mentioned that the applicant would be presenting other aspects of the project at this time.

Ms. Prentice requested further information regarding the variance.

Mr. Whyte advised Ms. Prentice that the variance would allow no under grounding of utilities, adding that the existing overhead utilities would remain. He described a criterion of approval for Design Review provides that all existing utilities be under grounded. He mentioned that due to the temporary nature of this request, and as a matter of practicality, in the event that the site is approved, there would be a full street improvement. He pointed out that this section of 155<sup>th</sup> Avenue is currently a two-lane street, with no sidewalks, curbs or landscaping, adding that it would be improved to full City standards at some point in the future. He informed Ms. Prentice that the variance request only applies to the improvements that are requested at this time for this specific project.

Chairman Lemon requested clarification of the term temporary, as it relates to this application.

Mr. Whyte informed Chairman Lemon that the applicant would more fully address this issue.

**APPLICANT:**

**JERRY WILLIAMS**, Project Engineer for City of Beaverton, introduced Brian DeHaas of *WRG Design Group*, and in response to Chairman Lemon's request for clarification of temporary as it relates to this project, explained that while there is

currently no funding source for this particular improvement, there is sufficient money for the construction of temporary pathways. He further explained that these temporary paths would be utilized until such time as the full road improvement could be achieved. He discussed the purpose of the bark chips, observing that this method is the least expensive, allows for bicycle use and minimizes runoff.

Chairman Lemon requested information regarding the streetlight situation.

Mr. Williams advised Chairman Lemon that the streetlights would have to be relocated in order to accommodate this proposal.

Mr. Edberg mentioned the landscape plan, noting that with the pathway crossing over the existing driveways, the two different materials would migrate into one another and create what he considers an unattractive appearance.

Mr. Williams stated that while he is not aware of any gravel driveways, the applicant has not actually addressed this particular detail at this time and would most likely propose to pave the entrances to the driveways.

#### **PUBLIC TESTIMONY:**

**DOUGLAS MULL** requested approval of both the design review and variance applications as a temporary safety measure in the area.

On question, Mr. Whyte indicated that he had no further comments at this time.

The public portion of the Public Hearing was closed.

Mr. Beighley **MOVED** to approve BDR 2001-0054 – SW 155<sup>th</sup> Avenue Pedestrian Improvement Nora Road to Weir Road Type 3 Design Review, based upon the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings and conclusions found in the Staff Report dated June 21, 2001, including Conditions of Approval Nos. 1 – 4, including additional Conditions of Approval, as follows:

5. Applicant shall submit to staff for approval a planting concept to occur in relationship to the gabion walls.
6. The existing gravel driveways interfaced with the proposed wood chip walk will be paved.
7. Construction fencing will be required around all existing trees that are to remain and fall within ten feet of construction/grading.

Mr. Osterberg pointed out that under current procedure, the Board may not defer any discretionary decisions to staff without providing a substantial amount of direction, specifically the type of plantings or a list of plantings.

Mr. Beighley amended the motion to provide for an addition to Condition of Approval No. 5, as follows:

5. Applicant shall submit to staff for approval a planting concept to occur in relationship to the gabion walls. **This shall include evergreens, two to three feet tall at the time of planting, to maintain an informal height of approximately four feet. A combination of deciduous shrubs such as Dogwood and Compact Wing Euonymus, along with Boston Ivy, shall be used on the second bench.**

Mr. Edberg **SECONDED** the motion, as amended.

The question was called and the motion **CARRIED**, unanimously.

Mr. Beighley **MOVED** to and Ms. Prentice **SECONDED** a motion to approve VAR 2001-0006– SW 155<sup>th</sup> Avenue Pedestrian Improvement Nora Road to Weir Road Design Variance, based upon the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings and conclusions found in the Staff Report dated June 21, 2001.

The question was called and the motion **CARRIED**, unanimously.

**B. ADJ 2001-0002 – BED, BATH & BEYOND EXTERIOR REMODEL ADJUSTMENT**

This land use application has been submitted for modifications to an existing commercial building at 12155 SW Broadway Street. The development proposal is located on Washington County Assessor's Map 1S1-15BB, Tax Lot 3200. The site is zoned Regional Center-Old Town (RC-OT) and is approximately 1.91 acres in size. This request for an adjustment approval is for the modification of particular development standards of the RC-OT district and along major pedestrian routes. The adjustment request includes modifications to the following development standards: maximum five foot front yard setback along major pedestrian routes, off-street parking location, 50% glazing along major pedestrian routes, 50% frontage along major pedestrian routes, locating the building on the corner of two major pedestrian routes, providing direct entry off major pedestrian route, and five foot landscape buffer between parking and the public right-of-way.

Mr. Whyte presented the Staff Report and described the proposal for an extensive remodel of the mill end store on Lombard Avenue and Canyon Road, observing that the existing building has been vacant for some time. He discussed the proposal, which includes the demolition and reconstruction of the north and south

additions and a completely new exterior finish on the building. He mentioned and described the seven individual requests for adjustments to the applicable development standards included within the application, as follows:

1. Request for both the SW Lombard Avenue and SW Canyon Road frontages for an adjustment from Development Code Section 20.20.50.A.3.A, which requires that all buildings that abut a Major Pedestrian Route be set back no more than five feet;
2. Request for an adjustment from Development Code Section 20.20.60.A.3.D.1, which requires that parking lots be placed at the rear or sides of buildings;
3. Request for an adjustment from Development Code Section 20.20.60.A.3.A.1, which requires that development abutting Major Pedestrian Routes shall include a minimum of 50% glazing;
4. Request for an adjustment from Development Code Section 20.20.60.A.3.A.2, which requires that at least 50% of the frontage along a Major Pedestrian Route be occupied by one or more buildings;
5. Request for an adjustment from Development Code Section 20.20.60.A.3.A.3, which requires that a building shall be located at a public street intersection with the building fronting the streets forming the intersection;
6. Request for an adjustment from Development Code Section 20.20.60.A.B.2, which requires any new structure to have an entrance oriented to at least one street frontage or one entrance at the corner of the structure facing the intersection of the Major Pedestrian Routes; and
7. Request for an adjustment from Development Code Section 20.20.60.A.3.D.2, which requires that all parking lots to include perimeter parking lot landscaping when abutting a Major Pedestrian Route which is at least five feet in width.

Mr. Whyte observed that pages 15 and 16 of the Staff Report responds overall to the seven proposed adjustments, specifically that the proposed adjustments will equally or better meet the purpose of the Regional Center-Old Town zone and the standards to be modified, with consideration given to the scope of the development, will be consistent with the desired character of the area and He pointed out that the cumulative effect of the proposed adjustments will result in a project consistent with the overall purpose of the zone and Regional Center Districts, adding that the proposal does not negatively impact any designated scenic or historic resources and that any impacts would be effectively mitigated.



Mr. Whyte referred to the seven proposed Conditions of Approval, noting that proposed Condition of Approval No. 7 responds to a correspondence from ODOT, dated May 24, 2001, requesting a closure of the access existing on SW Canyon Road. He pointed out that although ODOT would like to minimize the number of accesses, the applicant prefers to retain this existing access and would like to request a compromise of limited access. He referred to the exhibits attached to the Staff Report and the Staff Memorandum, dated June 28, 2001, regarding possible reconfigurations to accommodate a possible location of a future commuter rail, and described proposed Condition of Approval No. 8, which addresses this issue. Concluding, he offered to respond to any questions or comments.

Chairman Lemon requested clarification of the location of the seven specific adjustments, pointing out that the building façade is being addressed through a Type 2 Administrative Review.

Mr. Whyte observed that he was not involved in the initial review and discussed the information available to him.

**APPLICANT:**

**BOB EVENSON**, Consulting Architect representing *Robert Evenson Associates*, described the proposal for the remodeling of a building that was originally a *Safeway Store* and more recently a *Mill End Store*. He provided the color board of the materials and an illustration of the proposal and discussed the history of the site, and described the rationale for the request for the adjustments to accommodate this project. He observed that the landscaping would be enhanced and the existing trees, which are among the largest in the City of Beaverton, would be retained.

Mr. Beighley referred to the brick screen walls on Canyon Road and Lombard Avenue, specifically whether the applicant is recommending wheel stops.

Mr. Evenson advised Mr. Beighley that there are existing wheel stops at this location, adding that the applicant would be replacing a lot of the existing street.

Mr. Beighley expressed his appreciation for the helpful explanation of the seven adjustments requested by the applicant.

Ms. Prentice questioned whether the applicant would be making upgrades to the old building foundation.

Mr. Evenson assured Ms. Prentice that the foundation would be upgraded, emphasizing that the building must meet all applicable requirements.

**PUBLIC TESTIMONY:**

On question, no member of the public appeared to testify regarding this application.

On question, Mr. Whyte indicated that he had no further comments.

The public portion of the Public Hearing was closed.

Mr. Beighley **MOVED** and Mr. Edberg **SECONDED** a motion for approval of ADJ 2001-0002 – Bed, Bath & Beyond Adjustments, based upon the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts, findings and conclusions found in the Staff Report dated June 21, 2001, including Conditions of Approval Nos. 1 – 7, including additional proposed Condition of Approval No. 8, found in the Staff Memorandum dated June 28, 2001.

The question was called and the motion **CARRIED**, unanimously.

**MISCELLANEOUS BUSINESS:**

The meeting adjourned at 9:01 p.m.